

FILED
1/20/22 2:45 pm
CLERK
U.S. BANKRUPTCY
COURT - WDP

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: MATTIE M. DAVID

Debtor(s).

)
) **Case No. 18-22880-GLT**
)
) **Chapter 13**
)
X **Related to Docket No. 111**

ORDER OF COURT
(Check Boxes That Apply)

☒ **Confirming Plan on Final Basis**

☐ **Chapter 13 Plan dated:**

☐ **Authorizing Distributions Under Plan** ☒ **Amended Chapter 13 dated:**
On Interim Basis Solely as Adequate September 3, 2021
Protection

IT IS HEREBY ORDERED that pursuant to the plan identified above (the "Plan"), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee's next available distribution date after the first day of the month following the date on which this Order is entered on the Court's docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: Only those provisions which are checked below apply to this case:

- ☒ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$1772, beginning 1/22. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee's TFS online payment program.
- ☐ B. The length of the Plan is changed to a total of at least ____ months. This

statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.

- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. *Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.* The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
- _____
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:
- _____

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
-
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
-
- ☒ K. Additional Terms and Conditions:
- The claim of Freedom Mortgage Corp CL#15-2 Gov with payments resuming 9/21. The amount of payments in forbearance for the period 3/20 through 8/21 (in the aggregate amount of \$15,179.70) as reflected in the supplemental claim filed on 7/1/21 will not be paid during the plan term. In accordance with the filed stipulation (at Doc 106) between the Debtor and Creditor, the forbearance amount is to be paid, per the agreement, after the end of the plan term.

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after

the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed *secured claim* (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: January 20, 2022


United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk

In re:
Mattie M. David
Debtor

Case No. 18-22880-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jan 20, 2022

User: auto
Form ID: pdf900

Page 1 of 4
Total Noticed: 64

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 22, 2022:

Recip ID	Recipient Name and Address
db	+ Mattie M. David, 54 Areford Boulevard, Uniontown, PA 15401-4659
14883966	BYL Collection Services, LLC, P.O. Box 569, Malvern, PA 19355-0569
14892561	+ E-Z Pass Customer Service, 7631 Derry Street, Harrisburg, PA 17111-5286
14883974	+ Fayette Physician Network, P.O. Box 4640, Rutherford, NJ 07070-0464
14883976	Foundation Radiology Group, PC, 75 Remittance Drive #3310, Chicago, IL 60675-1001
15311303	Freedom Mortgage Corporation, 10500 Kincaid Drive, Fishers, IN 46037-9764
14883977	Health Care Solutions, P.O. Box 3037, Sharon, PA 16146-5037
14892563	+ Laurel Physiatry, 269 South Mount Vernon Avenue, Uniontown, PA 15401-4178
14883984	+ MMS Endodontics, 9000 Coombs Farm Drive--#304, Morgantown, WV 26508-1150
14883985	NovaSom, 75 Remittance Drive--Dept. 6583, Chicago, IL 60675-6583
14883986	+ Oliverio Ear Nose & Throat, 10 Highland Park Drive, Uniontown, PA 15401-8926
14892564	Peerless Credit Services, Inc., P.O. Box 518, Middletown, PA 17057-0518
14892565	Professional Account Management, P.O. Box 1153, Milwaukee, WI 53201-1153
14883994	Shaw Financial Solutions/Synchrony Bank, Attention: Bankruptcy Department, P.O. Box 965036, Orlando, FL 32896-5061
14883995	+ Southwestern Endoscopy Center, 300 Spring Creek Lane--Lower Level, Uniontown, PA 15401-9069
14883996	Southwestern Gastrointestinal Specialist, 300 Spring Creek Lane--Upper Level, Uniontown, PA 15401-9069
14883998	Target National Bank, c/o Target Card Services, P.O. Box 1581, Minneapolis, MN 55440-1581
14884000	+ Transworld Systems, Inc., P.O. Box 17221, Wilmington, DE 19850-7221
14914854	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
14892566	+ UPMC Health Services, 2 Hot Metal StreetDist. Room 386, Pittsburgh, PA 15203-2348
14914853	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
14884001	Uniontown Hospital, 500 West Berkeley Street, Uniontown, PA 15401-5596
14892567	+ Virtuox, Inc., P.O. Box 741637, Atlanta, GA 30384-0001

TOTAL: 23

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: RASEBN@raslg.com	Jan 20 2022 23:22:00	WEI Mortgage LLC, RAS Crane LLC, 10700 Abbotts Bridge Road, Suite 170, Duluth, GA 30097-8461
14883963	Email/Text: ebn@americollect.com	Jan 20 2022 23:23:00	Americollect, Inc., P. O. Box 1690, Manitowoc, WI 54221-1690
15180632	+ Email/Text: cashiering-administrationservices@flagstar.com	Jan 20 2022 23:23:00	Arc Home LLC (f/k/a WEI Mortgage LLC), c/o Flagstar Bank FSB, 5151 Corporate Drive, Troy MI 48098-2639
14883964	Email/Text: BarclaysBankDelaware@tsico.com	Jan 20 2022 23:22:00	Barclays Bank, P.O. Box 8802, Wilmington, DE 19899-8802
14883965	Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jan 20 2022 23:22:00	Bon Ton/Comenity Bank, Bankruptcy Department, P.O. Box 182125, Columbus, OH 43218-2125
14883967	Email/PDF: AIS.cocard.ebn@aisinfo.com	Jan 20 2022 23:34:29	Capital One, c/o TSYS Total Debt Management, P.O. Box 5155, Norcross, GA 30091
14897302	Email/PDF: AIS.cocard.ebn@aisinfo.com	Jan 20 2022 23:35:21	Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083

District/off: 0315-2

User: auto

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14883968	Email/PDF: gecsed@recoverycorp.com	Jan 20 2022 23:34:29	CareCredit/Synchrony Bank, Attn: Bankruptcy Department, P.O. Box 965061, Orlando, FL 32896-5061
14883970	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 20 2022 23:34:43	Citi Card, P.O. Box 6500, Sioux Falls, SD 57117-6500
14921978	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 20 2022 23:35:29	Citibank, N.A., Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0432
14883971	+ Email/Text: bankruptcy_notifications@ccsusa.com	Jan 20 2022 23:23:00	Credit Collection Services, 725 Canton Street, Norwood, MA 02062-2679
14883972	+ Email/Text: ccusa@ccuhome.com	Jan 20 2022 23:22:00	Credit Collections, USA, 16 Distributor Drive--Suite 1, Morgantown, WV 26501-0121
14883982	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 20 2022 23:34:38	Macy's American Express, Bankruptcy Processing, P.O. Box 8053, Mason, OH 45040
14883983	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 20 2022 23:34:43	Macy's Visa, Bankruptcy Processing, P.O. Box 8053, Mason, OH 45040
14922839	Email/Text: bnc-quantum@quantum3group.com	Jan 20 2022 23:22:00	Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657, Kirkland, WA 98083-0657
14883973	Email/Text: mrdiscen@discover.com	Jan 20 2022 23:22:00	Discover, P.O. Box 30421, Salt Lake City, UT 84130-0421
14887582	Email/Text: mrdiscen@discover.com	Jan 20 2022 23:22:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
14892562	+ Email/Text: bankruptcy@erieinsurance.com	Jan 20 2022 23:23:00	Erie Insurance Group, 100 Erie Insurance Place, Erie, PA 16530-0001
14894300	Email/Text: EBNBKNOT@ford.com	Jan 20 2022 23:23:00	Ford Motor Credit Company LLC, P. O. Box 62180, Colorado Springs, CO 80962
14883975	Email/Text: EBNBKNOT@ford.com	Jan 20 2022 23:23:00	Ford Motor Credit Company, LLC, National Bankruptcy Service Center, P.O. Box 62180, Colorado Springs, CO 80962
14883978	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 20 2022 23:35:29	Home Depot, P.O. Box 790328, Saint Louis, MO 63179-0328
14883979	Email/PDF: gecsed@recoverycorp.com	Jan 20 2022 23:34:53	Home Design/Synchrony Bank, Attention: Bankruptcy Department, P.O. Box 965061, Orlando, FL 32896-5061
14883969	Email/PDF: ais.chase.ebn@aisinfo.com	Jan 20 2022 23:34:29	Chase, P.O. Box 15298, Wilmington, DE 19850-5298
14919922	Email/PDF: resurgentbknotifications@resurgent.com	Jan 20 2022 23:35:25	LVNV Funding, LLC its successors and assigns as, assignee of Citibank, N.A., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14883980	Email/PDF: gecsed@recoverycorp.com	Jan 20 2022 23:34:29	Levin Furniture/Synchrony Bank, Bankruptcy Department, P.O. Box 965061, Orlando, FL 32896-5061
14883981	Email/PDF: gecsed@recoverycorp.com	Jan 20 2022 23:34:29	Lowe's/Synchrony Bank, Attn: Bankruptcy Department, P.O. Box 965060, Orlando, FL 32896-5060
14883989	Email/Text: Bankruptcy.Notices@pnc.com	Jan 20 2022 23:22:00	PNC Bank, P.O. Box 609, Pittsburgh, PA 15230-0609
14919338	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 20 2022 23:34:29	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14884711	+ Email/PDF: rmsced@recoverycorp.com	Jan 20 2022 23:34:30	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14919847	+ Email/Text: bankruptcyntices@psecu.com	Jan 20 2022 23:23:00	PSECU, PO BOX 67013, HARRISBURG, PA

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14883987	Email/PDF: gecsed@recoverycorp.com	Jan 20 2022 23:34:55	17106-7013 Paypal Buyer Credit/Synchrony Bank, Attn: Bankruptcy Department, P.O. Box 965060, Orlando, FL 32896-5060
14883988	Email/Text: bankruptcynotices@psecu.com	Jan 20 2022 23:23:00	Pennsylvania State Employees Credit Un., 1 Credit Union Place, P.O. Box 67013, Harrisburg, PA 17106-7013
14918529	Email/Text: bnc-quantum@quantum3group.com	Jan 20 2022 23:22:00	Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
14883990	+ Email/Text: EBN_IndianapolisIMC@receivemorermp.com	Jan 20 2022 23:23:00	Receivables Management Partners, LLC, P.O. Box 329, Temple, PA 19560-0329
14883997	Email/Text: amieg@stcol.com	Jan 20 2022 23:22:00	State Collection Service, Inc., 2509 South Stoughton Road, P.O. Box 6250, Madison, WI 53716-0250
14883991	Email/PDF: gecsed@recoverycorp.com	Jan 20 2022 23:34:55	Sam's Club Master Card/Synchrony Bank, Attention: Bankruptcy Department, P.O. Box 965060, Orlando, FL 32896-5060
14883992	Email/PDF: gecsed@recoverycorp.com	Jan 20 2022 23:34:29	Sam's Club/Synchrony Bank, Attention: Bankruptcy Department, P.O. Box 965060, Orlando, FL 32896-5060
14883993	Email/Text: bkteam@selenefinance.com	Jan 20 2022 23:22:00	Selene Finance, Attn: Bankruptcy Department, P.O. Box 422039, Houston, TX 77242-4239
14923298	+ Email/Text: bncmail@w-legal.com	Jan 20 2022 23:23:00	TD Bank USA, N.A., C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
14883999	Email/PDF: gecsed@recoverycorp.com	Jan 20 2022 23:35:20	TJX Rewards Master Card/Synchrony Bank, Attention: Bankruptcy Department, P.O. Box 965060, Orlando, FL 32896-5060
14922028	+ Email/Text: bkteam@selenefinance.com	Jan 20 2022 23:22:00	WEI Mortgage LLC, c/o Selene Finance, LP, Attn: BK Dept, 9990 Richmond Ave. Suite 400 South, Houston, TX 77042-4546

TOTAL: 41

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		ARC Home LLC.
cr		Ford Motor Credit Company, LLC
cr	*+	FREEDOM MORTGAGE CORPORATION, 10500 Kincaid Drive, Fishers, IN 46037-9764
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 2 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 22, 2022

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: auto

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CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 20, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor ARC Home LLC. bnicholas@kmlawgroup.com
Daniel R. White	on behalf of Debtor Mattie M. David sheila@zeblaw.com;r63228@notify.bestcase.com;elisa@zeblaw.com;gianna@zeblaw.com
Kevin M Buttery	on behalf of Creditor WEI Mortgage LLC kbuttery@rascrane.com
Mario J. Hanyon	on behalf of Creditor FREEDOM MORTGAGE CORPORATION wbecf@brockandscott.com mario.hanyon@brockandscott.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
Sindi Mncina	on behalf of Creditor WEI Mortgage LLC smncina@rascrane.com

TOTAL: 7